

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JILL BALLARD, REBECCA VARNOW,
and MARK POKORNI, on behalf of
themselves and the class members
described herein,

Plaintiff,

v.

NAVIENT CORPORATION,
NAVIENT SOLUTIONS, INC., AND
NAVIENT SOLUTIONS, LLC,

Defendants.

Civil No. 3:18-cv-00121-JFS-PJC

STIPULATION AND ORDER

Plaintiffs Jill Ballard, Rebecca Varnow, and Mark Pokorni (“Plaintiffs”) and Defendants Navient Corporation and Navient Solutions, LLC, formerly known as Navient Solutions, Inc. (“Navient Defendants”), hereby stipulate that:

1. Navient Defendants shall have 30 days from the entry of an order approving this Stipulation to disclose any technical issues that would prevent them from fully executing the four computer searches to identify the putative class members detailed in Plaintiffs’ Request for Computer Searches served on December 23, 2024.

2. For each search request not identified as being the subject of technical issues, Navient Defendants have 60 days from the entry of an order approving this Stipulation to execute the search and provide a numerical headcount.

3. For each search request identified as being the subject of technical issues, the following process shall apply:

- a. Plaintiffs have 14 days from the date of the technical issue's disclosure to adjust the search requests to resolve those technical issues.
- b. If Navient Defendants contend that any proposed adjustment is so substantial that the search request no longer matches the corresponding class in the Third Amended Complaint, then Navient Defendants shall (i) provide Plaintiffs with written notice of that contention within 7 days from receipt of the proposed adjustment; and (ii) refrain from executing such computer search until further Court order.
- c. For any other adjusted search request which matches the corresponding class in the Third Amended Complaint, Navient Defendants shall fully execute the search and provide a numerical headcount within 30 days of the receipt of Plaintiffs' adjustments.

4. In response to Plaintiffs' Request for Production served on December 23, 2024 which seeks "complete account" records for a randomly-selected population of 500 FFELP borrowers ("Population") within the 4 Search Queries set

forth in Plaintiffs' Requests for Computer Searches, Navient Defendants shall provide only the following documents, subject to redaction of the borrowers' personal identifying information ("PII") as required by federal regulation or Department of Education policy:

- a. a complete transaction history for each borrower's account, which states the dates and types of each transaction taken on the borrower's account; and
- b. records that disclose the basis of interest capitalizations for each borrower's account.

5. Plaintiffs may request additional account records by email rather than through a new formal discovery request. Without waiver of any objections, Navient Defendants shall respond within 10 days to any such request by raising an objection or producing the account record. If the Navient Defendants object to the request for additional account record(s), the parties shall meet and confer in good faith regarding these supplemental requests. If the parties are unable to come to an agreement regarding any supplemental request for records beyond those detailed in paragraph 4(a)-(b) above, they will seek resolution pursuant to the Court's procedure for handling discovery disputes.

6. A telephonic conference call will be held on _____ at _____.
Counsel for the Plaintiffs shall initiate the call and have all parties on the line prior to contacting chambers at (570) 207-5712.

Dated: February 26, 2025

/s/ Daniel A. Edelman

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Counsel for Plaintiffs Jill Ballard, Rebecca Varno, and Mark Pokorni

Dated: February 25, 2025

/s/ Cory W. Eichhorn, w/ consent

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Attorneys for Defendants Navient Solutions, LLC and Navient Corporation

APPROVED AND SO ORDERED this _____ day of March 2025.

BY THE COURT:

Phillip J. Caraballo
United States Magistrate Judge